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7 Attorneys for Plaintiff,
SIGNAL IP, INC.

8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**

11 SIGNAL IP, INC., a California
12 corporation,

13 Plaintiff,

14 vs.

15 FORD MOTOR COMPANY, a
16 Delaware corporation,

17 Defendant.

Case No. 14-cv-3106

**COMPLAINT FOR PATENT
INFRINGEMENT**

JURY TRIAL DEMANDED

18 Plaintiff Signal IP, Inc. (“Signal IP” or “Plaintiff”) brings this Complaint
19 against Defendant Ford Motor Company (“Ford” or “Defendant”), alleging as
20 follows:

21 **PARTIES**

22 1. Plaintiff Signal IP is a California corporation with its principal place of
23 business at 11100 Santa Monica Blvd., Suite 380, Los Angeles, CA 90025.

24 2. On information and belief, Defendant Ford Motor Company is a
25 Delaware corporation with its principal place of business at 1 American Road,
26 Dearborn, MI 48126.

27 **JURISDICTION, VENUE AND JOINDER**

28 3. This action arises under the patent laws of the United States, Title 35 of

1 the United States Code. This Court has subject matter jurisdiction pursuant to 28
2 U.S.C. §§ 1331 and 1338(a).

3 4. This Court has personal jurisdiction over Defendant. Defendant has
4 conducted extensive commercial activities and continues to conduct extensive
5 commercial activities within the State of California. Defendant is registered to do
6 business in California. Additionally, on information and belief, Defendant, directly
7 and/or through intermediaries (including Defendant's entities, subsidiaries,
8 distributors, sales agents, partners and others), distributes, offers for sale, sells,
9 and/or advertises their products (including but not limited to the products and
10 services that are accused of infringement in this lawsuit) in the United States, in the
11 State of California, and in this judicial district, under the "Ford", "Lincoln" and
12 "Mercury" brand names. Defendant has purposefully and voluntarily placed one or
13 more of their infringing products and services into the stream of commerce with the
14 expectation that the products and services will be purchased or used by customers in
15 California and within this judicial district. Accordingly, Defendant has infringed
16 Signal IP's patents within the State of California and in this judicial district as
17 alleged in more detail below.

18 5. Venue is proper in this district under 28 U.S.C. §§ 1391 and 1400(b).

19 **BACKGROUND**

20 6. Signal IP, Inc. is a California corporation with a principal place of
21 business at 11100 Santa Monica Blvd., Suite 380, Los Angeles, CA 90025. It is the
22 owner of the entire right, title and interest in and to U.S. Patent Nos. 5,714,927;
23 5,732,375; 6,434,486; 6,775,601; 6,012,007; and 5,463,374 (the "Patents-in-Suit").

24 7. On information and belief, Defendant is an American car manufacturer
25 and distributor, which is headquartered in Dearborn, Michigan. Ford manufactures
26 and distributes cars under the "Ford", "Lincoln" and "Mercury" brand names.
27
28

FIRST CLAIM FOR RELIEF**(Infringement of the '927 Patent)**

8. Plaintiff incorporates paragraphs 1 through 7 of this complaint as if set forth in full herein.

9. Signal IP is the owner of the entire right, title, and interest in and to U.S. Patent No. 5,714,927 (the '927 Patent), entitled "Method of Improving Zone of Coverage Response of Automotive Radar." The '927 Patent was duly and legally issued by the U.S. Patent and Trademark Office on February 3, 1998. A true and correct copy of the '927 Patent is attached as Exhibit A.

10. Defendant has directly infringed and continues to infringe, literally and/or under the doctrine of equivalents, the '927 Patent by making, using, offering for sale, and/or selling in the United States certain methods or systems disclosed and claimed in the '927 Patent, including but not limited to the Blind Spot Information System (BLIS), used in products including but not limited to the Ford C-Max, Edge, Escape, Expedition, Explorer, F-Series, Flex, Focus, Fusion, Mustang, Taurus, Crown Victoria, Escape Hybrid, Fusion Hybrid, and C-Max Hybrid, and the Lincoln MKS, MKT, MKX, MKZ, and MKZ Hybrid.

11. Defendant has contributorily infringed and is currently contributorily infringing the '927 Patent by making, using, offering for sale, and/or selling in the United States certain methods or systems disclosed and claimed in the '927 Patent, including but not limited to the Blind Spot Information System (BLIS), used in products including but not limited to the Ford C-Max, Edge, Escape, Expedition, Explorer, F-Series, Flex, Focus, Fusion, Mustang, Taurus, Crown Victoria, Escape Hybrid, Fusion Hybrid, and C-Max Hybrid, and the Lincoln MKS, MKT, MKX, MKZ, and MKZ Hybrid.

12. Defendant has actively induced and is actively inducing the infringement of the '927 Patent by making, using, offering for sale, and/or selling in the United States certain methods or systems disclosed and claimed in the '927

1 Patent, including but not limited to the Blind Spot Information System (BLIS), used
 2 in products including but not limited to the Ford C-Max, Edge, Escape, Expedition,
 3 Explorer, F-Series, Flex, Focus, Fusion, Mustang, Taurus, Crown Victoria, Escape
 4 Hybrid, Fusion Hybrid, and C-Max Hybrid, and the Lincoln MKS, MKT, MKX,
 5 MKZ, and MKZ Hybrid.

6 13. Defendant's infringement of the '927 Patent has been and continues to
 7 be willful, rendering this case exceptional within the meaning of 35 U.S.C. § 285.

8 14. Unless enjoined by this Court, Defendant will continue to infringe the
 9 '927 Patent.

10 15. As a direct and proximate result of the Defendant's conduct, Plaintiff
 11 has suffered, and will continue to suffer, irreparable injury for which it has no
 12 adequate remedy at law. Plaintiff also has been damaged and, until an injunction
 13 issues, will continue to be damaged in an amount yet to be determined.

14 **SECOND CLAIM FOR RELIEF**

15 **(Infringement of the '375 Patent)**

16 16. Plaintiff incorporates paragraphs 1 through 15 of this complaint as if set
 17 forth in full herein.

18 17. Signal IP is the owner of the entire right, title, and interest in and to
 19 U.S. Patent No. 5,732,375 (the '375 Patent), entitled "Method of Inhibiting or
 20 Allowing Airbag Deployment." The '375 Patent was duly and legally issued by the
 21 U.S. Patent and Trademark Office on March 24, 1998. A true and correct copy of
 22 the '375 Patent is attached as Exhibit B.

23 18. Defendant has directly infringed and continues to infringe, literally
 24 and/or under the doctrine of equivalents, the '375 Patent by making, using, offering
 25 for sale, and/or selling in the United States certain methods or systems disclosed and
 26 claimed in the '375 Patent, including but not limited to the Personal Safety System,
 27 used in products including but not limited to the Ford C-Max, Edge, Expedition,
 28 Explorer, Fiesta, Flex, Fusion, Escape Hybrid, and Fusion Hybrid, and the Lincoln

1 MKS, MKT, MKX, MKZ, Navigator, Town Car, Mark LT, and MKZ Hybrid.

2 19. Defendant has contributorily infringed and is currently contributorily
 3 infringing the '375 Patent by making, using, offering for sale, and/or selling in the
 4 United States certain methods or systems disclosed and claimed in the '375 Patent,
 5 including but not limited to the Personal Safety System, used in products including
 6 but not limited to the Ford C-Max, Edge, Expedition, Explorer, Fiesta, Flex, Fusion,
 7 Escape Hybrid, and Fusion Hybrid, and the Lincoln MKS, MKT, MKX, MKZ,
 8 Navigator, Town Car, Mark LT, and MKZ Hybrid.

9 20. Defendant has actively induced and is actively inducing the
 10 infringement of the '375 Patent by making, using, offering for sale, and/or selling in
 11 the United States certain methods or systems disclosed and claimed in the '375
 12 Patent, including but not limited to the Personal Safety System, used in products
 13 including but not limited to the Ford C-Max, Edge, Expedition, Explorer, Fiesta,
 14 Flex, Fusion, Escape Hybrid, and Fusion Hybrid, and the Lincoln MKS, MKT,
 15 MKX, MKZ, Navigator, Town Car, Mark LT, and MKZ Hybrid.

16 21. Defendant's infringement of the '375 Patent has been and continues to
 17 be willful, rendering this case exceptional within the meaning of 35 U.S.C. § 285.

18 22. Unless enjoined by this Court, Defendant will continue to infringe the
 19 '375 Patent.

20 23. As a direct and proximate result of the Defendant's conduct, Plaintiff
 21 has suffered, and will continue to suffer, irreparable injury for which it has no
 22 adequate remedy at law. Plaintiff also has been damaged and, until an injunction
 23 issues, will continue to be damaged in an amount yet to be determined.

24 **THIRD CLAIM FOR RELIEF**

25 **(Infringement of the '486 Patent)**

26 24. Plaintiff incorporates paragraphs 1 through 23 of this complaint as if set
 27 forth in full herein.

28 25. Signal IP is the owner of the entire right, title, and interest in and to

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1 U.S. Patent No. 6,434,486 (the ‘486 Patent), entitled “Technique for Limiting the
2 Range of an Object Sensing System in a Vehicle.” The ‘486 Patent duly and legally
3 issued by the U.S. Patent and Trademark Office on August 13, 2002. A true and
4 correct copy of the ‘486 Patent is attached as Exhibit C.

5 26. Defendant has directly infringed and continues to infringe, literally
6 and/or under the doctrine of equivalents, the ‘486 Patent by making, using, offering
7 for sale, and/or selling in the United States certain methods or systems disclosed and
8 claimed in the ‘486 Patent, including but not limited to collision prevention or
9 avoidance systems, including but not limited to the Adaptive Cruise Control and
10 Active Park Assist systems, used in products including but not limited to the Ford
11 C-Max, Edge, Escape, Explorer, Fiesta, Flex, Focus, Fusion, Mustang, Taurus,
12 Ranger, Freestyle and Taurus X, Escape Hybrid, Fusion Hybrid, and C-Max Hybrid,
13 and the Lincoln MKS, MKT, MKX, MKZ, Navigator, Mark LT, and MKZ Hybrid.

14 27. Defendant has contributorily infringed and is currently contributorily
15 infringing the ‘486 Patent by making, using, offering for sale, and/or selling in the
16 United States certain methods or systems disclosed and claimed in the ‘486 Patent,
17 including but not limited to collision prevention or avoidance systems, including but
18 not limited to the Adaptive Cruise Control and Active Park Assist systems, used in
19 products including but not limited to the Ford C-Max, Edge, Escape, Explorer,
20 Fiesta, Flex, Focus, Fusion, Mustang, Taurus, Ranger, Freestyle and Taurus X,
21 Escape Hybrid, Fusion Hybrid, and C-Max Hybrid, and the Lincoln MKS, MKT,
22 MKX, MKZ, Navigator, Mark LT, and MKZ Hybrid.

23 28. Defendant has actively induced and is actively inducing the
24 infringement of the ‘486 Patent by making, using, offering for sale, and/or selling in
25 the United States certain methods or systems disclosed and claimed in the ‘486
26 Patent, including but not limited to collision prevention or avoidance systems,
27 including but not limited to the Adaptive Cruise Control and Active Park Assist
28 systems, used in products including but not limited to the Ford C-Max, Edge,

1 Escape, Explorer, Fiesta, Flex, Focus, Fusion, Mustang, Taurus, Ranger, Freestyle
2 and Taurus X, Escape Hybrid, Fusion Hybrid, and C-Max Hybrid, and the Lincoln
3 MKS, MKT, MKX, MKZ, Navigator, Mark LT, and MKZ Hybrid.

4 29. Defendant's infringement of the '486 Patent has been and continues to
5 be willful, rendering this case exceptional within the meaning of 35 U.S.C. § 285.

6 30. Unless enjoined by this Court, Defendant will continue to infringe the
7 '486 Patent.

8 31. As a direct and proximate result of the Defendant's conduct, Plaintiff
9 has suffered, and will continue to suffer, irreparable injury for which it has no
10 adequate remedy at law. Plaintiff also has been damaged and, until an injunction
11 issues, will continue to be damaged in an amount yet to be determined.

12 **FOURTH CLAIM FOR RELIEF**

13 **(Infringement of the '601 Patent)**

14 32. Plaintiff incorporates paragraphs 1 through 31 of this complaint as if set
15 forth in full herein.

16 33. Signal IP is the owner of the entire right, title, and interest in and to
17 U.S. Patent No. 6,775,601 (the '601 Patent), entitled "Method and Control System
18 for Controlling Propulsion in a Hybrid Vehicle." The '601 Patent was duly and
19 legally issued by the U.S. Patent and Trademark Office on August 10, 2004. A true
20 and correct copy of the '601 Patent is attached as Exhibit D.

21 34. Defendant has directly infringed and continues to infringe, literally
22 and/or under the doctrine of equivalents, the '601 Patent by making, using, offering
23 for sale, and/or selling in the United States certain methods or systems for hybrid
24 vehicles disclosed and claimed in the '601 Patent, including but not limited to the
25 Ford Escape Hybrid, Fusion Hybrid, and C-Max Hybrid, Lincoln MKZ Hybrid, and
26 Mercury Mariner Hybrid and Milan Hybrid.

27 35. Defendant has contributorily infringed and is currently contributorily
28 infringing the '601 Patent by making, using, offering for sale, and/or selling in the

United States certain methods or systems disclosed and claimed in the ‘601 Patent, including but not limited to the Ford Escape Hybrid, Fusion Hybrid, and C-Max Hybrid, Lincoln MKZ Hybrid, and Mercury Mariner Hybrid and Milan Hybrid.

36. Defendant has actively induced and is actively inducing the infringement of the ‘601 Patent by making, using, offering for sale, and/or selling in the United States certain methods or systems disclosed and claimed in the ‘601 Patent, including but not limited to the Ford Escape Hybrid, Fusion Hybrid, and C-Max Hybrid, Lincoln MKZ Hybrid, and Mercury Mariner Hybrid and Milan Hybrid.

37. Defendant’s infringement of the ‘601 Patent has been and continues to be willful, rendering this case exceptional within the meaning of 35 U.S.C. § 285.

38. Unless enjoined by this Court, Defendant will continue to infringe on the ‘601 Patent.

39. As a direct and proximate result of the Defendant’s conduct, Plaintiff has suffered, and will continue to suffer, irreparable injury for which it has no adequate remedy at law. Plaintiff also has been damaged and, until an injunction issues, will continue to be damaged in an amount yet to be determined.

FIFTH CLAIM FOR RELIEF

(Infringement of the ‘007 Patent)

40. Plaintiff incorporates paragraphs 1 through 39 of this complaint as if set forth in full herein.

41. Signal IP is the owner of the entire right, title, and interest in and to U.S. Patent No. 6,012,007 (the ‘007 Patent), entitled “Occupant Detection Method and Apparatus for Air Bag System.” The ‘007 Patent was duly and legally issued by the U.S. Patent and Trademark Office on January 4, 2000. A true and correct copy of the ‘007 Patent is attached as Exhibit E.

42. Defendant has directly infringed and continues to infringe, literally and/or under the doctrine of equivalents, the ‘007 Patent by making, using, offering for sale, and/or selling in the United States certain methods or systems disclosed and

1 claimed in the '007 Patent, including but not limited to the Occupant Classification
2 System, used in products including but not limited to the Ford C-Max, Edge,
3 Escape, Expedition, Explorer, F-Series, Fiesta, Flex, Focus, Fusion, Mustang,
4 Taurus, Crown Victoria, Ranger, E-Series, Freestyle and Taurus X, Transit, Escape
5 Hybrid, Fusion Hybrid, and C-Max Hybrid, and the Lincoln MKS, MKT, MKX,
6 MKZ, Navigator, Mark LT, and MKZ Hybrid.

7 43. Defendant has contributorily infringed and is currently contributorily
8 infringing the '007 Patent by making, using, offering for sale, and/or selling in the
9 United States certain methods or systems disclosed and claimed in the '007 Patent,
10 including but not limited to the Occupant Classification System, used in products
11 including but not limited to the Ford C-Max, Edge, Escape, Expedition, Explorer, F-
12 Series, Fiesta, Flex, Focus, Fusion, Mustang, Taurus, Crown Victoria, Ranger, E-
13 Series, Freestyle and Taurus X, Transit, Escape Hybrid, Fusion Hybrid, and C-Max
14 Hybrid, and the Lincoln MKS, MKT, MKX, MKZ, Navigator, Mark LT, and MKZ
15 Hybrid.

16 44. Defendant has actively induced and is actively inducing the
17 infringement of the '007 Patent by making, using, offering for sale, and/or selling in
18 the United States certain methods or systems disclosed and claimed in the '007
19 Patent, including but not limited to the Occupant Classification System, used in
20 products including but not limited to the Ford C-Max, Edge, Escape, Expedition,
21 Explorer, F-Series, Fiesta, Flex, Focus, Fusion, Mustang, Taurus, Crown Victoria,
22 Ranger, E-Series, Freestyle and Taurus X, Transit, Escape Hybrid, Fusion Hybrid,
23 and C-Max Hybrid, and the Lincoln MKS, MKT, MKX, MKZ, Navigator, Mark
24 LT, and MKZ Hybrid.

25 45. Defendant's infringement of the '007 Patent has been and continues to
26 be willful, rendering this case exceptional within the meaning of 35 U.S.C. § 285.

27 46. Unless enjoined by this Court, Defendant will continue to infringe on
28 the '007 Patent.

47. As a direct and proximate result of the Defendant's conduct, Plaintiff has suffered, and will continue to suffer, irreparable injury for which it has no adequate remedy at law. Plaintiff also has been damaged and, until an injunction issues, will continue to be damaged in an amount yet to be determined.

SIXTH CLAIM FOR RELIEF

(Infringement of the '374 Patent)

48. Plaintiff incorporates paragraphs 1 through 47 of this complaint as if set forth in full herein.

49. Signal IP is the owner of the entire right, title, and interest in and to U.S. Patent No. 5,463,374 (the '374 Patent), entitled "Method and Apparatus for Tire Pressure Monitoring and for Shared Keyless Entry Control." The '374 Patent was duly and legally issued by the U.S. Patent and Trademark Office on October 31, 1995. A true and correct copy of the '374 Patent is attached as Exhibit F.

50. Defendant has directly infringed, literally and/or under the doctrine of equivalents, the '374 Patent by making, using, offering for sale, and/or selling in the United States certain methods or systems for vehicles disclosed and claimed in the '374 Patent, including but not limited to the integrated Remote Keyless Entry (RKE) and Tire Pressure Monitor Systems (TPMS), used in products including but not limited to the Ford Edge, Escape, Explorer, F-Series, Focus, Fusion, Mustang, Taurus, E-Series, Freestyle and Taurus X, Escape Hybrid, and Fusion Hybrid, and the Lincoln MKS, MKT, MKX, MKZ, Navigator, and MKZ Hybrid.

51. Defendant has contributorily infringed the '374 Patent by making, using, offering for sale, and/or selling in the United States certain methods or systems disclosed and claimed in the '374 Patent, including but not limited to the integrated Remote Keyless Entry (RKE) and Tire Pressure Monitor Systems (TPMS), used in products including but not limited to the Ford Edge, Escape, Explorer, F-Series, Focus, Fusion, Mustang, Taurus, E-Series, Freestyle and Taurus X, Escape Hybrid, and Fusion Hybrid, and the Lincoln MKS, MKT, MKX, MKZ,

1 Navigator, and MKZ Hybrid.

2 52. Defendant has actively induced infringement of the '374 Patent by
3 making, using, offering for sale, and/or selling in the United States certain methods
4 or systems disclosed and claimed in the '374 Patent, including but not limited to the
5 integrated Remote Keyless Entry (RKE) and Tire Pressure Monitor Systems
6 (TPMS), used in products including but not limited to the Ford Edge, Escape,
7 Explorer, F-Series, Focus, Fusion, Mustang, Taurus, E-Series, Freestyle and Taurus
8 X, Escape Hybrid, and Fusion Hybrid, and the Lincoln MKS, MKT, MKX, MKZ,
9 Navigator, and MKZ Hybrid.

10 53. As a direct and proximate result of Defendant's conduct, Plaintiff has
11 suffered irreparable injury for which it has no adequate remedy at law. Plaintiff also
12 has been damaged in an amount yet to be determined.

13 PRAYER FOR RELIEF

14 Wherefore, Signal IP respectfully requests that the Court enter judgment
15 against Defendant as follows:

- 16 1. That Defendant has directly infringed the Patents-in-Suit;
- 17 2. That Defendant has contributorily infringed the Patents-in-Suit;
- 18 3. That Defendant has induced the infringement of the Patents-in-Suit;
- 19 4. That Defendant's infringement be adjudged willful and deliberate;
- 20 5. That Defendant and its affiliates, subsidiaries, officers, directors,
21 employees, agents, representatives, successors, assigns, and all those acting in
22 concert, participation, or privity with them or on their behalf, including customers,
23 be enjoined from infringing, inducing others to infringe or contributing to the
24 infringement of the Patents-in-Suit;
- 25 6. For damages, according to proof, for Defendant's infringement,
26 together with pre-judgment and post-judgment interest, as allowed by law and that
27 such damages be trebled as provided by 35 U.S.C. § 284;
- 28 7. That this Court determine that this is an exceptional case under 35

1 U.S.C. § 285 and an award of attorneys' fees and costs to Signal IP is warranted;
2 and

3 8. For such other and further relief as the Court may deem just and proper.
4

5 Dated: April 23, 2014

LINER LLP

6
7
8 By: /s/ Ryan E. Hatch

Randall J. Sunshine

Ryan E. Hatch

9 Jason L. Haas

10 Attorneys for Plaintiff, SIGNAL IP, INC.
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JURY DEMAND

Pursuant to Federal Rules of Civil Procedure Rule 38(b), Plaintiff Signal IP, Inc. respectfully demands a jury trial on any and all issues triable as of right by a jury in this action.

Dated: April 23, 2014

LINER LLP

By: /s/ Ryan E. Hatch

Randall J. Sunshine

Ryan E. Hatch

Jason L. Haas

Attorneys for Plaintiff, SIGNAL IP, INC.

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